

AMENDED IN SENATE JUNE 18, 2008

AMENDED IN ASSEMBLY APRIL 22, 2008

AMENDED IN ASSEMBLY APRIL 3, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 3028

Introduced by Assembly Member Salas

February 22, 2008

~~An act to add Sections 129811, 129812, 129813, and 129856 to the~~
An act to amend Section 129765 of, and to add Sections 129761 and
129812 to, the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 3028, as amended, Salas. Health facilities.

Existing law, the Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983, requires the Office of Statewide Health Planning and Development (OSHPD) to observe the construction of, or addition to, any hospital building or the reconstruction or alteration of any hospital building, as it deems necessary to comply with the act for the protection of life and property.

The act requires the OSHPD to pass upon and approve or reject all plans for the construction or the alteration of any hospital building, independently reviewing the design to assure compliance with the specified requirements. OSHPD may permit electronic submission of the plans.

The act requires that before commencing any construction or alteration of any hospital building, OSHPD provide written approval of the necessary plans as to safety of design and construction.

This bill would authorize OSHPD to permit electronic review and approval of the plans. The bill would authorize OSHPD to utilize an over-the-counter plan review process. ~~It would also provide that the act shall not be construed to require written approval for changes to approved plans when the changes are for purposes that do not relate to health or safety.~~

The act authorizes OSHPD to enter into agreements and contracts when necessary in order to facilitate the timely performance of the duties and responsibilities relating to specified reviews and inspections.

This bill would require OSHPD to use information technology ~~as is necessary, to the extent possible, to facilitate the timely performance of the specified reviews and inspections~~ *its specified duties and responsibilities.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) The Legislature finds and declares all of the
- 2 following:
- 3 (1) A variety of factors have contributed toward making health
- 4 care construction costs in California among the highest in the
- 5 nation. The costs are driven by the escalating price of raw materials,
- 6 high demand for skilled labor, and the complexity of design, plan
- 7 review, and approval of hospital construction.
- 8 (2) As the industry moves to update the aging health care
- 9 infrastructure, incorporate advances in medical technology,
- 10 implement a modern health care delivery system, and improve
- 11 seismic safety of hospitals through compliance with the Alfred E.
- 12 Alquist Hospital Facilities Seismic Safety Act of 1983 (hereafter,
- 13 the act), health care construction activity will increase to unseen
- 14 levels creating additional economic pressure on the hospital and
- 15 construction industry.
- 16 (3) While California has implemented proactive measures to
- 17 improve, streamline, and assist hospitals in their efforts at
- 18 compliance with the act, more than 300 hospitals may need to
- 19 retrofit or replace their general acute care hospital buildings by
- 20 2013 in order to comply with the act.
- 21 (4) Improving the efficiency of health care building plan review
- 22 and construction efforts will not only reduce the time to design,

1 review, and complete hospital construction, but also lower the cost
2 of the project and reduce overall cost pressures on the health care
3 system, allowing more resources to be directed to direct patient
4 services.

5 (b) It is the intent of the Legislature to do all of the following:

6 (1) Expedite projects through increased collaboration.

7 (2) Modernize the review process with an infusion of new
8 technologies, such as electronic review, and it will aid in the
9 implementation of other expediting procedures.

10 (3) Accelerate health care construction and foster greater
11 cooperation between the health care industry and state government,
12 while continuing to maintain public safety and improve the quality
13 and efficiency of health care facility plan review and approval.

14 ~~SEC. 2. Section 129811 is added to the Health and Safety Code,~~
15 ~~to read:~~

16 ~~129811. Notwithstanding Sections 129810 and 129820, the~~
17 ~~office may permit electronic review and provide electronic approval~~
18 ~~of plans.~~

19 *SEC. 2. Section 129761 is added to the Health and Safety Code,*
20 *to read:*

21 *129761. The office shall use, to the extent possible, information*
22 *technology to facilitate the timely performance of its duties and*
23 *responsibilities under this chapter.*

24 *SEC. 3. Section 129765 of the Health and Safety Code is*
25 *amended to read:*

26 129765. (a) Except as set forth in subdivision (b), the
27 application for approval of the plans shall be accompanied by the
28 plans, including full, complete, and accurate specifications, and
29 structural design computations, which shall comply with the
30 requirements prescribed by the office. The office may permit
31 electronic submission, *review, and approval* of plans.

32 (b) Notwithstanding subdivision (a), the office, in its sole
33 discretion, may enter into a written agreement with the hospital
34 governing authority for the phased submittal and approval of plans.
35 The office shall charge a fee for the review and approval of plans
36 submitted pursuant to this subdivision. This fee shall be based on
37 the estimated cost, but shall not exceed the actual cost, of the entire
38 phased review and approval process for those plans. This fee shall
39 be deducted from the application fee pursuant to Section 129785.

1 ~~SEC. 3.~~

2 ~~SEC. 4.~~ Section 129812 is added to the Health and Safety Code,
3 to read:

4 129812. Notwithstanding any other provision of law, the office
5 may utilize an over-the-counter plan review process.

6 ~~SEC. 4.~~ Section 129813 is added to the Health and Safety Code,
7 to read:

8 ~~129813.~~ Notwithstanding any other provision of law, nothing
9 in this chapter shall be construed to require written approval for
10 changes to approved plans when the changes are for purposes that
11 do not relate to health or safety.

12 ~~SEC. 5.~~ Section 129856 is added to the Health and Safety Code,
13 to read:

14 ~~129856.~~ The office shall use, to the extent possible, information
15 technology as necessary to facilitate the timely performance of the
16 duties and responsibilities specified in Section 129855.